IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 23460 of 2006(P)

PETITIONER:

A.SANAL KUMAR, LECTURER IN ELECTRONICS,
GOVERNMENT POLY TECHNIC COLLEGE,
NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SMT.P.V.ASHA

RESPONDENTS:
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1. **STATE OF KERALA,**
   REP. BY SECRETARY TO GOVERNMENT,
   HIGHER EDUCATION DEPARTEMENT,
   THIRUVANANTHAPURAM.

2. **DIRECTOR OF TECHNICAL EDUCATION,**
   THIRUVANANTHAPURAM.

3. **THE DEPARTMENTAL PROMOTION COMMITTEE**
   (LOWER) FOR PROMOTION AS LECTURERS/IST GRADE
   INSTRUCTORS ETC IN TECHNICAL EDUCATION DEPARTEMENT,
   REPRESENTED BY ITS CONVENER, THIRUVANANTHAPURAM.

4. **J.JALANEY,**
   LECTURER IN ELECTRONICS,
   CENTRAL POLYTECHNIC, THIRUVANANTHAPURAM.

5. **B.PREMANAND, BALA NILAYAM,**
   THENHILAPPURAM P.O.,
   PALAKKAD-678 682.

BY ADV. SRI.V.V.SIDHARTHAN for R5
SRI.ELDHOSE M.VARGHESE
SRI.SEBASTIAN PHILIP for R4

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.23460/2006 P

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE MARK LIST FOR THE B.TECH EXAMINATION DTD. 6/08/1998 OF KERALA UNIVERSITY.

EXT.P2: COPY OF ORDER NO.EC5/6089/2000 DTD. 19/02/2000 OF 2ND RESPONDENT.

EXT.P3: COPY OF THE REPRESENTATION DTD. 7/12/2000 OF PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P4: COPY OF THE NOTICE NO.EG1/29472/2000 DTD. 2/03/2001 ISSUED BY 2ND RESPONDENT.

EXT.P5: COPY OF THE ORDER NO.EG1-29472/2000 DTD. 3/04/2001 OF 2ND RESPONDENT.

EXT.P6: COPY OF THE REPRESENTATION DTD. 25/01/2002 OF PETITIONER BEFORE 1ST RESPONDENT.

EXT.P7: COPY OF ORDER NO.EG1-29472/00(2)DTD. 1/06/2002 OF THE 2ND RESPONDENT.

EXT.P8: COPY OF THE REPRESENTATION DTD. 4/07/02 OF THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P9: COPY OF CIRCULAR DTD. 20/11/2002 ALONG WITH THE PROVISIONAL GRADATION LIST OF LECTURERS IN ELECTRONICS.

EXT.P10: COPY OF THE RELEVANT PORTION OF THE GRADATION LIST OF LECTURERS IN ELECTRONICS ALONG WITH PROCEEDINGS DTD. 14/12/1999 OF 2ND RESPONDENT.

EXT.P11: COPY OF THE ORDER NO.EC5-28665/95 DTD. 16/09/98 OF THE 2ND RESPONDENT.

EXT.P12: COPY OF THE ADVICE MEMO DTD. 2/01/1999 ISSUED BY PSC.

EXT.P13: COPY OF THE ORDER NO.EC5-28665/95 DTD. 20/01/1999 OF THE 2ND RESPONDENT.

EXT.P14: COPY OF ORDER NO.EC5-28665/95 DTD. 2/07/1999 OF THE 2ND RESPONDENT.

EXT.P15: COPY OF THE REPRESENTATION DTD. 28/01/2003 OF THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P16: COPY OF THE ORDER NO.EG1-23087/2003 DTD. 11/12/2003 OF THE 2ND RESPONDENT.

EXT.P17: COPY OF THE ORDER NO.EG1-9033/04 DTD. 13/10/2005 OF THE 2ND RESPONDENT.

EXT.P18: COPY OF THE APPEAL SUBMITTED BY PETITIONER BEFORE GOVT.

/TRUE COPY/

Kss

K.M.JOSEPH, J.

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WP.(C) No.23460 OF 2006

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Dated this the 26th day of February, 2007

JUDGMENT

Aggrieved by Ext.P17 order petitioner has preferred Ext.P18 before the first respondent.

2. Heard counsel for the petitioner and the counsel appearing on behalf of the fourth respondent.

Without expressing any view on the merits and maintainability of Ext. P18, the writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P18 in accordance with law with an opportunity of hearing to the petitioner, respondents 4 and 5 and any other affected party. I make it clear that it will be open to respondents 4 and 5 and any other affected party to point out among other things that Ext.P18 is not maintainable also. A decision shall be taken within a period of three months from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.